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I hereby certify that on 12/5/03, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Maria Nadal

PATENT

Applicant: Daniel T. Mudd  
Serial No.: 10/652,506  
Filed: August 28, 2003  
Title: Higher Accuracy Pressure  
Based Flow Controller  
Group Art Unit: 2855  
Examiner:  
Docket No.: 12252-0011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**  
**37 CFR 1.53(b)**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed November 25, 2003 (copy enclosed), applicant submits the following:

1. Copy of Notice to File Missing Parts of Nonprovisional Application;
2. Copy of Express Mail and Postcard stamped August 28, 2003;
3. Copy of Fee Transmittal Form filed with USPTO on August 28, 2003;
4. Copy of the USPTO Deposit Account for September 2003.
5. Copy of Postcard stamped by USPTO on October 3, 2003;
6. Copy Combined Declaration and Power of Attorney filed with USPTO on October 1, 2003; and
7. Postage paid postcard.

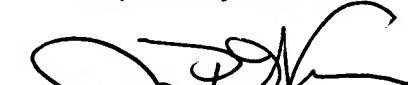
Applicant respectfully submits the above documents showing proof that the statutory basic filing fee was submitted with the application on August 8, 2003. The Oath/Declaration was filed shortly thereafter on October 1, 2003, with authorization to the Commissioner to charge to the deposit account.

It is also noted that the statutory basic filing fee was charged to the USPTO deposit account on September 4, 2003 (see attached Deposit Account Statement).

The Commissioner is hereby authorized to charge for any additional filing fees or credit any overpayment to Deposit Account No. 50-1329. A duplicate copy of this sheet is attached.

Dated: 12/05/03

Respectfully submitted,



Jan P. Weir  
Registration No. 43,253

**STRADLING YOCCA CARLSON & RAUTH**  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
Telephone: 949.725-4000  
Facsimile: 949.725-4100

*Customer Number: 31,278*

**COPY** PATENT

Applicant: Daniel T. Mudd  
Serial No.: 10/652,506  
Filed: August 28, 2003  
Title: HIGHER ACCURACY PRESSURE  
BASED FLOW CONTROLLER  
Examiner:  
Group Art Unit:  
Atty Docket No.: 12252-0011

CERTIFICATE OF MAILING  
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with sufficient postage to in an envelope addressed to:  
Mail Stop, Commissioner of Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

Maria Nadal  
Maria Nadal



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL LETTER**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

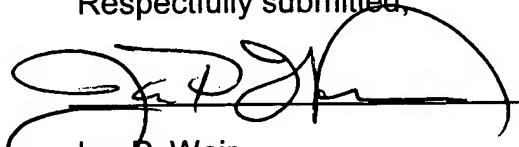
Enclosed for filing with the Patent and Trademark please find the following documents:

1. Executed Combined Declaration, Power of Attorney.

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account No. 50-1329. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 9/29/03



Jan P. Weir  
Registration No. 43,253

STRADDLING YOCOA CARLSON AND RAUTH  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
Telephone: (949) 725-4000  
Facsimile: (949) 725-4100  
Customer Number: 31,278



**United States  
Patent and  
Trademark Office**

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**Deposit Account Statement**

**Requested Statement Month:** September 2003  
**Deposit Account Number:** 501329  
**Name:** STRADLING YOCOA CARLSON & RAUTH  
**Attention:** REBECCA MEEGAN  
**Address:** 660 NEWPORT CENTER DRIVE, SUITE 1600  
**City:** NEWPORT BEACH  
**State:** CA  
**Zip:** 92660

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/02 88	PCT/US03/26262	13949-0018	1601	\$240.00	\$8,095.00
09/02 89	PCT/US03/26262	13949-0018	1602	\$700.00	\$7,395.00
09/02 90	PCT/US03/26262	13949-0018	1702	\$476.00	\$6,919.00
09/02 91	PCT/US03/26262	13949-0018	1707	\$520.00	\$6,399.00
09/02 92	PCT/US03/26262	13949-0018	8007	\$20.00	\$6,379.00
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09/04 12	10412431	21940-13	1051	\$130.00	\$4,739.00
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09/09 3	09001039	1155.005	1253	\$930.00	-\$255.00
09/09 63	60500544	14359.0002	2005	\$80.00	-\$335.00
09/09 176	E-REPLENISHMENT		9203	-\$10,000.00	\$9,665.00
09/10 55	60477438	12978.0014	2005	\$80.00	\$9,585.00
09/10 56	60477438	12978.0014	2052	\$25.00	\$9,560.00
09/10 97	10657045	P297CON2(14364.108 1001		\$750.00	\$8,810.00
09/10 98	10657045	P297CON2(14364.108 1201		\$420.00	\$8,390.00



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*HoriBa 12252-011*

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Patent  
12252.0011

Applicant: Mudd et al.  
Serial No.: Filing Date: 8/28/2003  
Title: Higher Accuracy Pressure Based Flow Controller

Please acknowledge receipt of:

16235 U.S. PTO  
10/652506



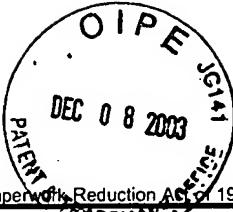
08/28/03

1. Application Transmittal
2. Fee Transmittal Form
3. Patent Application (13 pgs)
4. Drawings (5 pgs)
5. Combined Declaration, Power of Attorney (3 pgs)(unsigned)

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PTO/SB/17 (08-03)

Approved for use through 07/31/2000. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$ 750.00)
-------------------------	-------------

Complete if Known

Application Number	
Filing Date	August 28, 2003
First Named Inventor	Daniel T. Mudd
Examiner Name	
Art Unit	
Attorney Docket No.	12252-0011

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	50-1329
Deposit Account Name	Stradling Yocca Carlson & Rauth

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375			Utility filing fee	750.00
1002 330	2002 165			Design filing fee	
1003 520	2003 260			Plant filing fee	
1004 750	2004 375			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$ 750.00)</b>			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
19	-20** = 0		X 0	= 0.00	
2	-3** = 0		X 0	= 0.00	

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$ 750.00)</b>

\*\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Jan P. Weir	Registration No. (Attorney/Agent)	43,253	Telephone	949-725-4000
Signature	<i>Jan P. Weir, Esq., Ph.D., Sc.D.</i>			Date	8-28-03

(WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.)

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent  
12252-0011

Applicant: Daniel T. Mudd  
Serial No.: 10/652,506 Filing Date: 08/28/2003

Title: Higher Accuracy Pressure Based Flow Controller

Please acknowledge receipt of:

1. Transmittal Letter;
2. Executed Combined Declaration & Power of Attorney; and
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